

H 3226

## CONGRESSIONAL RECORD — HOUSE

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the call of the chair or upon the petition of five or more board members.

Section 5 establishes the directorship of the Office of Technology Assessment. The Director is to be appointed by the board to serve a term of 6 years at a pay level equal to level 2 in the executive branch. The Director is authorized to choose his own deputy with the approval of the board.

Section 6 enumerates the specific authority of the office which is necessary to carry out the provisions of the act, including the promulgation of rules and regulations, the use of contracts, hiring of personnel, and so forth.

The office itself is prohibited from operating any laboratories, pilot plants or test facilities.

The office is given power to act and sit at such places as may be necessary and is provided the powers of subpoena. Safeguards are included to protect privileged or proprietary data.

Section 7 provides for special utilization of the Legislative Reference Service of the Library of Congress in gathering information and in maintaining monitoring systems to indicate important areas requiring technology assessment. Authority is given to the librarian to set up such new divisions or units within LRS as may be necessary to help the Office of Technology Assessment in its functions.

Section 8 provides for specific coordination and liaison with the National Science Foundation, this being the only executive agency which presently has active programs designed to do research into technology assessment techniques. It also amends the National Science Foundation Act of 1950 to permit the foundation to undertake special activities on behalf of the Office of Technology Assessment upon the request of its director.

Section 9 provides for an annual report to be submitted to the Congress.

Section 10 gives to the General Accounting Office the obligation and duties of providing financing and administrative services to the Office of Technology Assessment. The section also stipulates that reimbursement shall be made for these services to the General Accounting Office in accordance with such agreements as may be reached between the Comptroller General and the Technology Assessment Board.

Section 11 authorizes \$5 million for the initial establishment of the Office of Technology Assessment for the fiscal year ending June 30, 1971, and thereafter such sums as may be necessary.

In conclusion, it is important to understand that the Office of Technology Assessment would not itself be a large operational unit. But it would know how and where to go to get assessments done; it could put together ad hoc task forces for this purpose, and it would have money to pay for them. Equally important—the results of any assessment would simply be an added informational input to aid in the legislative process. It would

in no way supplant the hearing procedure or the adversary proceeding, nor would it come in terms of fixed recommendations to the Congress.

## CONDUCT OF JUSTICE DOUGLAS

(Mr. SCOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. SCOTT. Mr. Speaker, as mentioned by the gentleman from New Hampshire, a bipartisan group of approximately 100 Members is today filing a resolution to establish a select committee to investigate recent activities of Mr. Justice William O. Douglas and to recommend to the House whether or not he should be impeached. The sponsors are diversified by geography, philosophy, and party affiliation.

This resolution is based, in part, upon news accounts of improper behavior by Justice Douglas. The Library of Congress sent me a compilation of recent criticism of his activities by the news media and a staff member prepared a digest of the articles. The digest is inserted at this point:

## CRITICISMS OF JUSTICE DOUGLAS

CHICAGO TRIBUNE, August 25, 1969.—Douglas accepted \$12,765 per year for seven years as President of the Parvin Foundation, which received most of its income from Las Vegas gambling operations. He contributed to a magazine specializing in pornography. Since January 1, 1968 he has received \$4000 on a \$500 per diem basis from the Center for the Study of Democratic Institutions, a part of the Fund for the Republic. The fund and center "dabble" in revolutionary politics.

CHICAGO TRIBUNE, July 23, 1969.—Douglas received \$4,104 in 1962 and 1963 from the Center for the Study of Democratic Institutions. He also wrote an article for a magazine published by Ralph Ginzberg, a pornography trade figure.

NEWSWEEK, June 9, 1970.—Douglas got \$350 for writing an article on folk-singing for Ginzberg's magazine Avant-Garde. Ginzberg was convicted in 1963 on obscenity charges.

SAN FRANCISCO EXAMINER AND CHRONICLE, June 1, 1969.—In 1963 Douglas issued a stay of execution for Julius and Ethel Rosenberg who had been condemned to death for passing atomic secrets to Russians. A resolution of impeachment was filed in the House, but the furor died down. In 1968 Congressmen denounced his marrying his fourth wife who was 23.

WASHINGTON STAR, June 17, 1969.—Douglas wrote four articles for Playboy Magazine in 18 months. The first was on invasions of privacy, the second on water pollution, the third on civil liberties, and the fourth on dam-building sins of the Corps of Engineers. He would not say what he was paid.

WASHINGTON POST, May 20, 1969.—Senator Paul Fannin of Arizona criticized Douglas for the article he wrote for Avant-Garde. The article was entitled "The Appeal of Folk-Singing: A Landmark Opinion." Douglas was paid \$350 for the article. Ginzberg was convicted in 1963 on obscenity charges and got 5 years. In 1968 the Supreme Court upheld the conviction 5-4, and Douglas was one of the dissenters.

WASHINGTON POST, May 26, 1969.—Representative Celler criticized Douglas for his letter to Albert Parvin, head of the Parvin Foundation. The letter was drafted May 12,

1969 and dealt with the Internal Revenue Service's investigation of Parvin Foundation activities. The IRS investigation concerned in part "self-dealing" transactions between the foundation and its founder Albert Parvin. Parvin had not reported a sale of foundation stock on a 1962 tax return. In fact, he did not report the sale until 1967.

NEW YORK TIMES, May 27, 1969.—Editorial.—Douglas' work on the Court is not the issue, but his unjudicial behavior in negotiating with persons of questionable background is.

NEW YORK TIMES, May 26, 1969.—Douglas said that the IRS investigation of the Parvin Foundation is a "manufactured case" intended to force him to leave the bench. Douglas resigned from the foundation because the work load was too heavy. Parvin's files contained a series of allegations by revenue service field agents who questioned more than 12 transactions involving Mr. Parvin's investment of foundation funds.

WASHINGTON POST, May 27, 1969.—Editorial.—Douglas' statement that the IRS investigation of the foundation was a "manufactured case" to "get me off the court" shows Douglas' bias against the IRS and should disqualify him from judging cases involving the IRS.

EVENING STAR, May 27, 1969.—Douglas headed the Parvin Foundation during the time the IRS is investigating. Douglas said that he "knew very little" about the foundation's tax troubles.

WASHINGTON POST, May 24, 1969.—The Parvin Foundation for many years received the bulk of its income from a mortgage on a Las Vegas gambling casino, the Hotel Flamingo. Douglas first indicated that he was considering quitting the foundation on October 31, 1968, but did not do so until May of 1969.

CHICAGO TRIBUNE, May 22, 1969.—The Center for the Study of Democratic Institutions, which Douglas received money from, has been the second highest recipient of funds from the Parvin Foundation. The Democratic Center was the incubator of the National Conference for New Politics, which held a five-day debauch and did more than \$10,000 worth of damage to the Palmer House Hotel in September 1967. The center is tax-exempt.

NEW YORK TIMES, May 22, 1969.—Douglas received \$500 a day fee when he participated in seminars sponsored by the Democratic Center. The Parvin Foundation contributed \$70,000 to the center from 1965-1967.

CHICAGO TRIBUNE, May 22, 1969.—Senator John J. Williams of Delaware asked the American Bar Association whether or not Douglas' relationship with the Parvin Foundation violates the A.B.A.'s canons of judicial ethics. In 1967 Douglas was the only foundation official to receive pay. He directed the foundation's philanthropic activities. Douglas received \$85,000 total from the foundation.

WASHINGTON DAILY, May 19, 1969.—Between 1962 and 1968 Douglas was paid \$72,000 by the Parvin Foundation for advice on how to spend about \$450,000 in charitable contributions. The foundation's activity since Douglas was appointed as its chairman centers on his project to stimulate understanding of Western culture in Latin America's underdeveloped nations by granting fellowships to young scholars from "emerging nations".

NEW YORK TIMES, May 25, 1969.—His marriages:

1923 to Mildred Riddle—had two children, 1963 divorced.

1954 to Mercedes Hester Davidson. Divorced 1962.